



## **ADULT DAY CARE CENTER**

- **STATUTE**
- **RULE**
- **CRITERIA**

**Current until changed by State  
Legislature or AHCA**

## **Adult Day Care Centers** **Statutory Reference<sup>1</sup>**

### **400.562, Florida Statutes**

#### **Rules establishing standards.**

- (1) The Department of Elderly Affairs, in conjunction with the agency, shall adopt rules to implement the provisions of this part. The rules must include reasonable and fair standards. Any conflict between these standards and those that may be set forth in local, county, or municipal ordinances shall be resolved in favor of those having statewide effect. Such standards must relate to:
  - (a) The maintenance of adult day care centers with respect to plumbing, heating, lighting, ventilation, and other building conditions, including adequate meeting space, to ensure the health, safety, and comfort of participants and protection from fire hazard. Such standards may not conflict with chapter 553 and must be based upon the size of the structure and the number of participants.
  - (b) The number and qualifications of all personnel employed by adult day care centers who have responsibilities for the care of participants.
  - (c) All sanitary conditions within adult day care centers and their surroundings, including water supply, sewage disposal, food handling, and general hygiene, and maintenance of sanitary conditions, to ensure the health and comfort of participants.
  - (d) Basic services provided by adult day care centers.
  - (e) Supportive and optional services provided by adult day care centers.

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<sup>1</sup> This statutory excerpt is only meant to be used for reference purposes. A complete copy of the Adult Day Care Statute (Chapter 400, Part V, F.S.) may be accessed through the Online Sunshine Internet Homepage ([www.leg.state.fl.us](http://www.leg.state.fl.us)).

**Adult Day Care Centers**  
**Statutory Reference**  
**(Continue)**

- (f) Data and information relative to participants and programs of adult day care centers, including, but not limited to, the physical and mental capabilities and needs of the participants, the availability, frequency, and intensity of basic services and of supportive and optional services provided, the frequency of participation, the distances traveled by participants, the hours of operation, the number of referrals to other centers or elsewhere, and the incidence of illness.
- (2) Pursuant to s. II 9.07, the agency may charge a fee for furnishing a copy of this part, or of the rules adopted under this part, to any person upon request for the copy.
- (3) Pursuant to rules adopted by the department, the agency may conduct an abbreviated biennial inspection of key quality-of-care standards, in lieu of a full inspection, of a center that has a record of good performance. However, the agency must conduct a full inspection of a center that has had one or more confirmed complaints within the licensure period immediately preceding the inspection or which has a serious problem identified during the abbreviated inspection. The agency shall develop the key quality-of-care standards, taking into consideration the comments and recommendations of the Department of Elderly Affairs and of provider groups. These standards shall be included in rules adopted by the Department of Elderly Affairs.

# Adult Day Care Centers

## **Rule Reference<sup>2</sup>**

**58A-6.011 (10), Florida Administrative Code**

**Participant and Program Data, Emergency Procedures.**

**(10)** Each center shall develop and follow a written Comprehensive Emergency Management Plan for emergency care during an internal or external disaster.

(a) The Emergency Management Plan shall include the following:

1. Provisions for both internal and external disasters and emergencies which could include hurricanes, tornadoes, fires, power outages, floods, bomb threats, hazardous materials and nuclear disasters.
2. Provisions for care and services to participants during the emergency including pre-disaster or preparation, notification of family members or responsible parties, securing the center, supplies, staffing and emergency equipment.
3. Provisions for care and services to participants who must evacuate during the emergency including emergency evacuation transportation.
4. Identification of staff position responsible for implementing each aspect of the plan.
5. Identification of and coordination with designated agencies including Red Cross and the county emergency management office.
6. Post-disaster activities including responding to family inquiries, obtaining necessary emergency medical attention or intervention for participants, and transportation.

(b) The plan shall be available for immediate access by center staff.

(c) The Plan shall be approved by the local Emergency Management Agency.

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2 This rule excerpt is only meant to be used for reference purposes. A complete copy of the Adult Day Care Rule (Chapter 58A-6, F.A.C.) may be obtained from the Florida Department of Elder Affairs (4040 Esplanade Way, Tallahassee, FL 32399).

OCTOBER, 2000

**STATE OF FLORIDA**  
**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**EMERGENCY MANAGEMENT PLANNING CRITERIA FOR**  
**ADULT DAY CARE FACILITIES**

The following minimum criteria are to be used when Comprehensive Emergency Management Plans (CEMP) for all Residential Health Care Facilities, including, but not limited to Adult Day Care (ADC), Assisted Living Facilities (ALFs), Nursing Homes, Hospitals, and other Residential Health Care Providers. The criteria will serve as the recommended plan format for the CEMP, and will also serve as the compliance review document for county emergency management agencies upon submission for review and approval pursuant to Chapter 252, Florida Statutes.

These minimum criteria satisfy the basic emergency management plan requirements of the following:

- s395.1055 Florida Statutes and Chapter 59A-3, Florida Administrative Code for Hospitals
- s395.1055 Florida Statutes and Chapter 59A-5 Florida Administrative Code for Ambulatory Surgical Centers
- s400.23 Florida Statutes and Chapter 59A-4 Florida Administrative Code for Nursing Homes
- s400.441 Florida Statutes and Chapter 58A-5 Florida Administrative Code for ALFs
- s393.067 Florida Statutes and Chapter 59 - Florida Administrative Code for Residential Care Facilities for the Developmentally Disabled.
- s400.55-400.564 Florida Statutes and Chapter 58A-6.011, Florida Administrative Code for Adult Day Care Facilities.

These criteria are not intended to limit or exclude additional information that facilities may decide to include in their plans in order to satisfy other requirements, or to address other arrangements that have been made for emergency preparedness. Any additional information which is included in the plan will not be subject to approval by county emergency management personnel, although they may provide information comments.

This form must be attached to your facility's comprehensive emergency management plan upon submission for approval to the county emergency management agency. Use it as a cross-reference to your plan, by listing the page number and paragraph where the criteria are located in the plan on the line to the left of each item. This will ensure accurate review of your facility's plan by the county emergency management agency.

## **I. INTRODUCTION**

- A. Provide basic information concerning the facility to include:
  - 1. Name of facility, address, telephone number, emergency contact telephone number and pager number if available, and fax number, type of facility and license.
  - 2. Owner of facility, address, telephone.
  - 3. Year facility was built, type of construction and date of any subsequent construction.
  - 4. Name of Administrator, address, work/home telephone number of his/her alternate.
  - 5. Name, address, work and home telephone number of person implementing the provisions of this plan, if different from the Administrator.
  - 6. Name and work and home telephone number of person(s) who develop this plan.
  - 7. Provide an organizational chart, including phone numbers, with key management positions identified.
- B. Provide an introduction to the Plan which describes its purpose, time of implementation, and the desired outcome that will be achieved through the planning process. Also provide any other information concerning the facility that has bearing on implementation of this plan.

## **II. AUTHORITIES AND REFERENCES**

- A. Identify the legal basis for plan development and implementation to include statutes, rules and local ordinances, etc.
- B. Identify reference material used in the development the Plan.
- C. Identify the hierarchy of authority in place during emergencies. Provide an organizational chart, if different from the previous chart required.

### III. HAZARD ANALYSIS

- A. Describe the potential hazards that the facility is vulnerable to such as hurricanes, tornadoes, flooding, fires, hazardous materials, from fixed facilities or transportation accidents, proximity to a nuclear power plant, power outages during severe cold or hot weather, etc. Indicate past history and lessons learned.
- B. Provide site specific information concerning the facility to include:
  - 1. Number of facility beds, maximum number of clients on site, average number of clients on site.
  - 2. Type of clients served by the facility to include but not limited to:
    - A. Clients with Alzheimer Disease.
    - B. Clients requiring special equipment or other special care, such as oxygen or dialysis.
    - C. Number of clients who are self-sufficient.
  - 3. Identification of hurricane evacuation zone facility is in.
  - 4. Identification of which flood zone facility is in as identified on a Flood Insurance Rate Map.
  - 5. Proximity of facility to a railroad or major transportation artery (per hazardous materials incidents).
  - 6. Identify if facility is located within 10 mile or 50 mile of emergency planning zone of a nuclear power plant.

### IV. CONCEPT OF OPERATION

This section of the plan defines the policies, procedures, responsibilities and actions that the facility will take before, during and after any emergency situation. At a minimum the facility plan needs to address direction and control, notification, evacuation and sheltering.

- A. Direction and Control

Define the management function for emergency operations. Direction and control provide a basis for decision making and identifies who has the authority to make decisions for the facility.

- 1. Identify, by name and title who is in charge during an emergency, and one alternate, should that person be unable to service in that capacity.
- 2. Identify the chain of command to ensure continuous leadership and authority in key positions.
- 3. State the procedures to ensure timely activation and staffing of the facility in emergency functions.
- 4. State the operational and support roles for all facility staff. (This will be accomplished through the development of Standard Operating Procedures, which must be attached to this Plan).
- 5. State the procedures to ensure the following needs are supplied.
  - A. Emergency power, natural gas or diesel. If natural gas, identify alternate means should loss of power occur which would effect the natural gas system. What is the capacity of emergency fuel system?
  - B. Transportation (may be covered in the evacuation section).

—— B. Notification

Procedures must be in place for the facility to receive timely information on impending threats and the alerting of facility decision makers, staff and clients of potential emergency conditions.

- 1. Define how the facility will receive warnings.
- 2. Define how key staff will be alerted.
- 3. Define the procedures and policy for reporting to work for key workers.
- 4. Define how clients will be alerted and the precautionary measures that will be taken.
- 5. Identify alternative means of notification should the primary system fail.



- 6. Identify procedures for notifying those facilities to which facility clients will be evacuated.
- 7. Identify procedures for notifying families of clients that facility is being evacuated or closed.

—— C. Evacuation

Describe the policies, roles, responsibilities, and procedures for the evacuation of clients from the facility.

- 1. Identify the individual responsible for implementing facility evacuation procedures.
- 2. Identify transportation arrangements made through mutual aid agreements or understandings that will be used to evacuate clients (copies of the agreements must be attached).
- 3. Describe transportation arrangements for logistical support to include moving records, medications, food, water and other necessities.
- 4. Identify the pre-determined locations where clients will evacuate to.
- 5. Provide a copy of the mutual aid agreement that has been entered into with a facility to receive clients (current, signed each year).
- 6. Identify evacuation routes that will be used and secondary routes that would be used should the primary route be impassable.
- 7. Specify the amount of time it will take to successfully evacuate all clients to the receiving facility. Keep in mind that in hurricane evacuations, all movement should be completed before the arrival of tropical storm winds (40-mph winds).
- 8. What are the procedures to ensure facility staff will accompany evacuating clients.
- 9. Identify procedures that will be used to keep track of clients once they have been evacuated (to include a log system).

- 10. Determine what and how much should each clients take.
  - 11. Establish procedures for responding to family inquiries about clients who have been evacuated.
  - 12. Establish procedures for ensuring all clients are accounted for and are out of the facility.
  - 13. Determine at what point to begin the pre-positioning of necessary medical supplies and provisions.
  - 14. Specify at what point the mutual aid agreements for transportation and the notification of alternate facilities will begin.
- D. Re-Entry
- Once a facility has been evacuated, procedures need to be in place for allowing clients to re-enter the facility.
- 1. Identify who is the responsible person(s) for authorizing re-entry to occur.
  - 2. Identity procedures for inspection of the facility to ensure it is structurally sound.

## **V. INFORMATION, TRAINING AND EXERCISES**

This section shall identify the procedures for increasing employee and clients awareness of possible emergency situations and providing training on their emergency roles before, during and after a disaster.

- A. Identify how key workers will be instructed in their emergency roles during non-emergency times.
- B. Identify a training schedule for all employees and identify the provider of the training.
- C. Identify the provision for training new employees regarding their disaster related role(s).
- D. Identify a schedule for exercising all or portions of the disaster plan on an annual basis.
- E. Establish procedures for correcting deficiencies noted during training exercises.

## **ANNEXES**

The following information is required, yet placement in an annex is optional, if the material is included in the body of the plan.

- A. Roster of employee and companies with key disaster related roles.
  - 1. List the names, addresses, telephone numbers of all staff with disaster related roles.
  - 2. List the name of the company, contact person, telephone number and address of emergency service providers such as transportation, emergency power, fuel, water, police, fire, Red Cross, etc.
- B. Agreements and Understandings
  - 1. Provide copies of any mutual aid agreement entered into pursuant to the fulfillment of this plan. This is to include reciprocal host facility agreements, transportation agreements, current vendor agreements or any other agreement needed to ensure the operational integrity of this plan.
- C. Evacuation Route Map
  - 1. A map of the evacuation routes and description of how to get to a receiving facility for drivers.
- D. Support Material
  - 1. Any additional material needed to support the information provided in the plan.
  - 2. Copy of the facility's fire safety plan that is approved by the local fire department.